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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
PHAN Y. HUYNH,
Defendant.

No. CR-06-0767 JCS
STIPULATION AND ~~[PROPOSED]~~
ORDER TO EXCLUDE TIME AND
DEFER PROSECUTION

The parties hereby request that the Court exclude time under the Speedy Trial Act in the above captioned case pursuant to 18 U.S.C. § 3161(h)(2) from March 14, 2007, to September 14, 2007, for deferral of prosecution. The parties agree that pretrial diversion is an appropriate disposition in this matter.

The United States has referred Ms. Huynh to Pretrial Services for an intake evaluation. If Mr. Huynh meets the qualifications set forth by Pretrial Services, she will be placed on pretrial diversion for no more than six months. Accordingly, the parties agree that the prosecution will

be deferred for a sixth month period of time for Ms. Huynh to demonstrate good conduct under the conditions of a pretrial diversion program.

SO STIPULATED.

SCOTT N. SCHOOLS
United States Attorney

DATED: 03/14/07

/s/ Derek R. Owens
DEREK R. OWENS
Special Assistant United States Attorney

DATED: 03/21/07

/s/ Ron Tyler
RON TYLER
Attorney for Ms. Huynh

Based on the stipulation of the parties and for good cause shown, IT IS HEREBY ORDERED that time is excluded under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(2) from March 14, 2007, to September 14, 2007, for deferral of prosecution by the United States for the purpose of allowing the defendant to demonstrate good conduct under the conditions of a pretrial diversion program.

DATED: 03/27/07

